

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL MAURICE McMAHILL, ) NO. CV 08-7188-AHM(E)  
Plaintiff, )  
v. ) ORDER ADOPTING FINDINGS,  
CMO DR. T. BZOSKIE, et al., ) CONCLUSIONS AND RECOMMENDATIONS  
Defendants. ) OF UNITED STATES MAGISTRATE JUDGE

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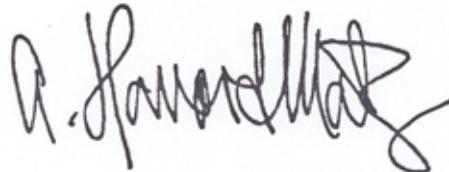
Pursuant to 28 U.S.C. section 636, the Court has reviewed the Second Amended Complaint, all of the records herein and the attached Report and Recommendation of United States Magistrate Judge. The Court approves and adopts the Magistrate Judge's Report and Recommendation.

IT IS ORDERED that: (1) the Report and Recommendation of the Magistrate Judge is approved and adopted; (2) the Second Complaint is dismissed without leave to amend, and with prejudice, as against Defendants Olukanmi, Swaby and Bzoskie; (3) the claim for injunctive relief in the Second Amended Complaint is dismissed without leave to

1 amend, but without prejudice; (4) the Second Amended Complaint  
2 otherwise is dismissed with leave to amend; and (5) Plaintiff's motion  
3 for transfer is denied. If Plaintiff still wishes to pursue this  
4 action, he is granted thirty (30) days from the date of this Order  
5 within which to file a Third Amended Complaint. Any Third Amended  
6 Complaint shall be complete in itself. Any Third Amended Complaint  
7 shall not seek injunctive relief. Any Third Amended Complaint shall  
8 not name as Defendants Olukanmi, Swaby or Bzoskie. Plaintiff should  
9 not attempt to add additional defendants without leave of Court. See  
10 Fed. R. Civ. P. 21. Failure timely to file a Third Amended Complaint  
11 may result in dismissal of the action.

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13 DATED: June 30, 2009.



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16 A. HOWARD MATZ  
17 UNITED STATES DISTRICT JUDGE  
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